

ENTERED

June 23, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONROBERT PROSPER,
Plaintiff,

VS.

HARRIS COUNTY, *et al.*,
Defendants.§
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CIVIL ACTION NO. 4:24-CV-02550

ORDER

On August 12, 2024, all pretrial matters in this case were referred to United States Magistrate Judge Christina A. Bryan under 28 U.S.C. § 636(b)(1). (Dkt. 18). Judge Bryan filed a Memorandum and Recommendation on May 29, 2025, recommending that Defendant Harris County's Motion to Dismiss (Dkt. 25) and Defendant City of Houston's Motion to Dismiss (Dkt. 26) be **GRANTED**. (Dkt. 36).

On June 9, 2025, Plaintiff filed his objections. (Dkt. 37). In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; see also FED. R. CIV. P. 72(b)(3).


The Court has carefully considered the objections, the Memorandum and Recommendation, the pleadings, and the record. Plaintiff's objections (Dkt. 37) are **OVERRULED**. The Court **ACCEPTS** Judge Bryan's Memorandum and

Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Bryan's Memorandum and Recommendation (Dkt. 36) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) Harris County's Motion to Dismiss (Dkt. 25) is **GRANTED** and the City of Houston's Motion to Dismiss (Dkt. 26) is **GRANTED**;
- (3) Plaintiff's claims against C.M. Blackburn are **DISMISSED without PREJUDICE** for want of prosecution;
- (4) Plaintiff's state-law claims against Defendants are **DISMISSED without PREJUDICE** for lack of jurisdiction; and
- (5) Plaintiff's remaining claims against Defendants are **DISMISSED with PREJUDICE** for failure to state a claim.

It is so **ORDERED**.

SIGNED at Houston, Texas on June 23, 2025.


GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE